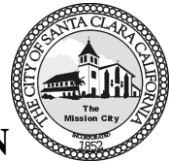




CITY OF SANTA CLARA



INSTRUCTIONS FOR 2015-2016 FUNDING APPLICATION

Dear Applicant:

The attached packet contains the consolidated Application Form and Instructions for submitting a request to the City of Santa Clara for FY 2015-2016 funding from those entities to be used to address housing and other community needs of lower income residents of the City of Santa Clara. Funds provided under this application will be available on July 1, 2015. This application is for funds from the following sources:

1. Community Development Block Grant (CDBG), from the City's entitlement grant received from the U.S. Department of Housing & Urban Development (HUD).
2. Home Investment Partnerships Act (HOME), from the City's entitlement grant received from HUD.
3. Other sources, identified in the City's 5-Year Consolidated Plan for the Use of Federal Entitlement Funds (ConPlan), or which may become available to the City during the 2015-2016 fiscal year.

The federal entitlement jurisdictions in Santa Clara County have developed a common application form that can be used by all jurisdictions, so that applicants are asked for the same information by those jurisdictions choosing to use the consolidated form. **To be considered for funds from the City of Santa Clara, applicants must submit the City's Application Form to the City of Santa Clara.**

The application packet consists of two parts:

PART ONE - Instructions and exhibits that are **NOT TO BE SUBMITTED**, and includes:

1. A Table of Contents identifying all parts of the packet.
2. A description of the available funds and the evaluation process, including a schedule of significant dates.
3. Instructions for completing the application form.
4. A set of six attachments providing detailed information on items included in the Application Form.

PART TWO – The Application Form that is **TO BE SUBMITTED**, and includes:

1. The main Application Form, which **ALL APPLICANTS MUST SUBMIT**.
2. Three Addenda, of which each application shall **INCLUDE ONLY ONE**, based on the type of project proposed.
3. A checklist of organization documents that **ALL APPLICANTS MUST SUBMIT** along with the required documents.

PART ONE: TABLE OF CONTENTS

PART ONE (not to be submitted with application)

COVER LETTER	i
TABLE OF CONTENTS	ii
DESCRIPTION OF AVAILABLE FUNDS	
Purpose	iii
Eligibility Criteria	iii
Funding Availability	iv
DESCRIPTION OF EVALUATION PROCESS	
Evaluation Process	v
Schedule of Significant Dates	vi
Contact for Information	vi
INSTRUCTIONS FOR COMPLETING & SUBMITTING THE APPLICATION FORM	
Completing the Application Form	vii
Completing Requested Budget Information	viii
Completing and Submitting an Addendum	ix
Submitting the Application Form	x
ATTACHMENTS <u>(Information only)</u>	
Attachment I Income Guidelines	
Attachment II Insurance Requirements	
Attachment III How to Obtain a DUNS Number	
Attachment IV HOME Definition of a Community Housing Development Organization	
Attachment V CDBG Definition of a Community Based Development Organization	
Attachment VI Service Projects Application Evaluation Criteria	

PART TWO (to be submitted with application)

GENERAL APPLICATION FORM <u>(all applicants must submit all parts)</u>	
Section 1 Project and Applicant Summary	1
Section 2 Project Information	2
Section 3 Target Population and Project Beneficiaries	3
Section 4 Financial and Other Organization Information	5
Section 5 Authorization and Certification	8
CHECKLIST OF REQUIRED ORGANIZATION DOCUMENTS <u>(all applicants must submit)</u>	
ADDENDA <u>(submit only one Addendum based on the type of project being proposed)</u>	
Addendum A Public Services/Affordable Housing Services/Homeless Support Services	
Addendum B Housing Capital Projects (New Construction/Acquisition/Rehabilitation)	
Addendum C Non-Housing Capital Improvement Projects	

PART ONE: DESCRIPTION OF AVAILABLE FUNDS

PURPOSE

The purpose of the Application Form is as follows:

- Substantiate demographically the assessed need for the Project within the community;
- Collect all required data from applicants in order to determine eligibility under the City's federal grant programs;
- Document the quality and quantity of services to be provided;
- Evaluate those services against established criteria; and,
- Demonstrate benefit to City of Santa Clara citizens.

ELIGIBILITY CRITERIA

1. Proposed projects must meet established community needs set forth in the City's Consolidated Plan, 2010-2015 (ConPlan), enhance existing City services and policies, and provide City of Santa Clara residents with quality benefits at reasonable costs. That plan is available at www.santaclaraca.gov, by clicking on Departments & Services, Planning & Inspection, Housing & Community Services Division, Consolidated Plan.
2. An eligible organization must be incorporated as a public agency or a tax exempt, non-profit corporation, demonstrate the managerial and financial capability to receive and expend grant funds, and assure compliance with all applicable Local, State, and Federal laws.
3. **Community Development Block Grant (CDBG)** Projects must meet one of the three national objectives of the CDBG Program set forth below. Projects must also be consistent with the City's ConPlan. For further details, see: Federal Regulations 24 CFR Part 570:
 - a) Benefit lower income persons ([defined in Attachment I](#));
 - b) Address slums or blight; or,
 - c) Meet a particularly urgent community development need.
4. **HOME Investment Partnerships Act (HOME)** Projects must expand or maintain the City's supply of decent, safe, sanitary, and affordable housing for lower income residents ([defined in Attachment I](#)). Proposed Projects must be consistent with the City's ConPlan. Funds may be used for New Construction, Rehabilitation, Acquisition and Tenant-Based Rental Assistance. For further details, see Federal Regulations 24 CFR Part 92.
5. All **Public Service/Affordable Housing/Homeless Support service projects** must demonstrate that no funds other than CDBG are available to meet the service levels proposed by the Applicant. Public Service projects not previously funded by the City must demonstrate that they are a new project to be undertaken by the Applicant or expansion of an existing project currently provided by the Applicant. [Attachment VI summarizes the established criteria used by the City to evaluate Public Service/Affordable Housing/Homeless Support service applications](#). The City reserves the right to consider other factors in evaluating service applications. Funding for service programs must qualify under one of the criteria below:
 - A. **Existing, Funded Project**: Proposed projects funded by the City in the current fiscal year, which are satisfactorily meeting their program goals. Requests for increased funding above a minimal allowance

for inflationary cost increases must demonstrate an expanded level of service, or a new service, or a loss of previously provided funds from a major source of project funding. Such agencies must make good faith efforts to secure funding from other sources, and must develop a long-range plan of independence from City funding.

- B. **One-time Project**: Projects addressing a community need that is limited to a timeframe of one year or less.
- C. **Seed Projects**: Projects addressing a community need that is being met by a new service. Such projects must demonstrate a high probability that they have developed or are likely to develop future, non-City commitments for on-going funding. City funding for such projects is normally for a maximum of two years.
- D. **Emerging Community Need Project**: Projects that will serve an identified community need not currently funded by the City. Each November, the City holds a public hearing on City housing and community development needs. Projects addressing unmet, significant needs identified in the City's Consolidated Plan, at that needs public hearing or other appropriate public forums, are eligible for funding consideration under this criterion.

FUNDING AVAILABILITY

1. Each year, the City of Santa Clara receives an entitlement grant under the CDBG Program. In FY 2014-15, the total amount of this grant was \$856,158. For FY 2015-16, an amount of \$850,000 is projected to be available. By law, a maximum of 15% of this grant may be set aside for public services. The City supplements available Public Service Funds from current year Program Income, estimated annually to be \$30,000. Organizations proposing economic development projects must qualify or be willing to qualify as a Community Based Development Organization (CBDO). [See Attachment V for the CDBG definition of a CBDO.](#)
2. Each year, the City of Santa Clara receives a participation grant under the HOME Program. In FY 2014-15, the total amount of this grant was \$327,815. For FY 2015-16, an amount of \$320,000 is projected to be available. By law, 15% of this grant must be set aside for a qualified Community Housing Development Organization (CHDO). Organization qualified as a CHDO or willing to be qualify as a CHDO will receive higher consideration for funding. [See Attachment IV for the HOME definition of a CHDO.](#)
3. The City, at its sole discretion, selects the source of funds for approved projects and may elect to fund projects with other sources and/or multiple sources of funding.

PART ONE: DESCRIPTION OF THE EVALUATION PROCESS

EVALUATION PROCESS

The schedule of significant dates is provided below. **THAT SCHEDULE IS THE ONLY NOTICE THAT APPLICANTS WILL RECEIVE, unless there is a change in the schedule.**

After the Application Due Date, City staff shall review applications and shall formulate recommendations to the City Council. Applicants may be required to provide additional or clarifying information regarding their Application Form. In evaluating project proposals, the City will consider:

- Consistency with the City's ConPlan objectives and priorities.
- Priorities and requirements of the two primary funding sources, as described in the previous section.
- Organization's demonstrated managerial and financial capability to receive and expend grant funds.
- Cost-effectiveness of the proposed project.
- For Public/Affordable Housing/Homeless Support services not previously funded by the City, the evaluation criteria set forth in the Service Projects Application Evaluation Criteria. [See Attachment VI.](#)

All applicants for FY 2015-16 public service or affordable housing service funds, must submit a complete application form to be considered for funding in FY 2015-16.

ONE PUBLIC HEARING is scheduled on proposed CDBG and HOME Projects. City staff recommendations will be presented at the Public Hearing. The Public Hearing is also the appropriate forum for applicants to make their oral presentations to City Council. Organizations recommended for other local funds will also be invited to present their projects at this hearings.

At the Public Hearing, City Council is expected to appropriate available CDBG and HOME funds among the applicant agencies. Allocations of other funds may occur at that time or at a later hearing in concert with the City's FY 2015-16 Capital Improvement budget process.

The attached application shall be employed by the City Council in determining which projects receive funding approval. All local appropriations and subsequent contracts are subject to the availability of federal funds. Copies of the standard contract are available for review. Acceptance of City funding means that the City's designees, auditors, and federal officials will have access to your organization's records.

SCHEDULE OF SIGNIFICANT DATES

THIS SCHEDULE IS THE ONLY NOTICE THAT AGENCIES WILL RECEIVE REGARDING SCHEDULED HEARING DATES, unless there is a change in the schedule.

- November 19, 2014 Public Service and Capital Improvement Project applications will be available from the Housing & Community Services Division office, 1500 Civic Center Drive, Santa Clara, CA.
- December 19, 2014 All applications due at the Housing & Community Services office no later than 12:00 P.M. **APPLICATIONS WILL NOT BE ACCEPTED AFTER THAT DEADLINE.**
- March 10, 2015 Public Hearing on Community Development Block Grant and HOME funds. **SCHEDULED APPLICANT PUBLIC PRESENTATIONS.** Meeting held in City Council Chambers, 1500 Warburton Avenue, Santa Clara, CA, at 7:00 P.M.
- May 5, 2015 City Council approval of the City's 1-year plan for the use of federal funds

CONTACT FOR INFORMATION

Contact: Eloiza Murillo-Garcia, Acting Housing & Community Services Division Manager, at (408) 615-2490.

PART ONE: INSTRUCTIONS FOR COMPLETING & SUBMITTING THE APPLICATION FORM

COMPLETING THE APPLICATION FORM

Section 1: Project and Applicant Summary

- The Project Statement must be short and concise. It will be used as a summary description of the project throughout the evaluation and funding process.
- The Legal Name is the organization's name as it appears on its Articles of Incorporation. Do not use a dba ("doing business as") name.
- To obtain a DUNS number [see Attachment III, How to Obtain a DUNS Number](#).
- All applicants must have an IRS Tax ID number to be eligible.
- The Project Manager is the person who will be the applicant's primary contact person for questions and information relating to the Application Form.

Section 2: Project Information

- All applications must check at least one of the seven ConPlan goals listed. [For more detailed information on the City programs under each objective, see the City's Con Plan.](#)
- All applications must check only one Objective and only one Outcome.
Objective #2 is only checked if the project involves new construction/acquisition/rehabilitation capital improvement projects or rental assistance/shared housing match services. Objective #3 is only checked if the primary purpose of the project is one of the three activities specified with that objective. All other projects will check Objective #1.
All funded projects will be required to include one outcome performance indicator, which will be directly related to the Outcome checked on the Application Form. Outcome #2 includes the provision of decent housing under Objective #2, affordable housing/homeless support services, and public services that provide basic needs at below market costs (e.g., transportation, food) or produce additional household income for families living in poverty. Outcome #3 includes the creation of economic activity under Objective #3. All other projects will check Outcome #1.
- Responses to each one of the five narrative questions are not to exceed one page per question.

Section 3: Target Population and Project Beneficiaries

- Question A asks the basis for determining the number of beneficiaries reported in this section. New projects must provide an explanation of how they calculated the proposed number of beneficiaries for FY 2015-16.
- Question B asks how many beneficiaries the project is expected to serve and what portion of those beneficiaries are expected to be City residents. In the case of housing projects to be located in the City of Santa Clara, City Beneficiaries and Total Project Beneficiaries will be the same.
- In the demographic table, the "Projected or Actual" numbers are based on the response to Question A. The "2015-16 Proposed" are based on the numbers provided in Question B.
- HUD defines "Hispanic" as an ethnicity. Beneficiaries who identify themselves as Hispanic must also identify themselves as one of the five listed races. Thus, the number of Hispanic beneficiaries is also included in the sum of the five races.
- HUD and City policy for beneficiaries who identify themselves as being more than one race allows two methods of counting: (1) fractionalize the responses (e.g., a beneficiary choosing 3 races equals one third for each race) and apply those fractions to each selected racial category; and (2) prioritize the multiple responses

into one response, using the order of priority (the City’s preferred choice) – American Indian/Alaska Native, Hawaiian/Pacific Islander, Black/African-American, Asian.

Section 4: Financial and Other Organization Information

- The description of a CHDO is found in Attachment IV.
- The description of a CBDO is found in Attachment V.
- The number of Paid Employees is expressed in Full Time Equivalents (FTE), based on a 40 hour work equals 1 FTE.
- The number of volunteers is the number of individuals who provide services to the organization with only minimal reimbursement for transportation or other direct costs of providing their services.
- New federal rules require applicants answering yes to both questions in 4.D.6 to provide the names and total compensation of its top five executives if the City chooses to fund its proposed project.

COMPLETING REQUESTED BUDGET INFORMATION

The Application Form requests budget information at several different levels and detail. The City recommends that the organization’s financial division assist in providing the information in the form described below.

1. **Total Organization Budget:** This is the organization’s total operating budget and should not include funds budgeted as capital expenses. The budget categories are based on the format typically presented in an independent audit. The categories of “Proposed Project” and “All Other Programs” relate to the direct costs of the various services provided by the organization. Typically, an audit divides direct costs into one or more direct service programs. If the proposed project is for operational funds (e.g., services of some kind), the Proposed Project budget is that program to which City funds would be designated. In the case of requests for capital funding, the capital budget amounts requested are not included under the Proposed Project budget. However, the services provided in conjunction with the capital facility being considered for City funding would be included in the Proposed Project budget, even if that amount does not include City funds. A zero amount for All Other Programs would indicate that the organization provides only one direct service, which relates to the proposed project, whether operation or capital funds are being requested.
2. **Total Project Budget for All Cities:** The purpose of this budget is to enable the City to determine the portion of Project costs it is funding and compare it to the portion of beneficiaries who will be City residents. The City will not provide funds in an amount greater than the portion of City beneficiaries who will benefit from the proposed project. If the application is requesting operation funding, the “Total Project Budget” line item in this table will equal the Proposed Project budget amount from the previous table. If the application is requesting capital funding, the Total Project Budget is the budget for that capital project only.
3. **Total Project Revenues:** The amount of “Total Project Revenues” line in this table should equal the Total Project Budget line in the previous table. The “City of Santa Clara” amount will equal the City of Santa Clara Portion presented in the previous table. This table provides the detail of the expected revenue from sources other than the City. The sources listed should include: (a) funds already granted; (b) funds already applied for; and (c) sources to which the organization is committing itself to apply for funding in the near future. In the case of items under b & c, the table should include the expected funding award date.

4. Addendum A Budget: Addendum A is used for proposed service projects. The Addendum A budget amount should be the direct and indirect costs associated with providing project service(s) to City residents. Thus, unless all project beneficiaries are City residents, the total budget amount in Addendum A will be a portion of the Total Budget for All Cities. That portion may be calculated in one of two ways: (a) if the organization has a system for tracking and assigning project costs to individual cities, that system may be used; or (b) if the organization has no such existing system, the percentage of City Beneficiaries divided by Total Project Beneficiaries, times total project costs for each cost category equals the Addendum A budget cost. The one exception to that rule is the “Direct Payments for Beneficiaries.” This category includes only the actual amount paid to a third party by the organization to benefit a City resident. Under revenues, 100% of the City’s funding will be included. Other revenues used to provide services to City residents, which the City recognizes as “leveraged” funds, should be presented in a format similar to that in the Total Project Revenues table. Expected award dates are not required in the Addendum A budget.
5. The Addenda B & C Budgets: Addenda B & C are for capital projects and the budgets provide details of the costs summarized in the Total Project Budget table.

COMPLETING AND SUBMITTING AN ADDENDUM

Each Application Form submitted to the City must include one, and only one, Addendum of the three provided in the packet. The applicant chooses a particular Addendum based on the nature of the project for which City funding is being sought. Organizations that are applying for funds for more than one project, must submit a separate Application Form for each proposed project.

Addendum A - Public/Affordable Housing/Homeless Support Services: This Addendum is used for all requests for operations funding involving the provision of services. Applicants making payments to third parties on behalf of beneficiaries (e.g., rental assistance) would use this Addendum.

- All “Project Performance Goals” refer to City residents only.
- “Productivity” performance goals must include a goal of Unduplicated Clients Served and at least one other quantifiable direct service activity (e.g., meals served, rides provided, counseling sessions held) that is to be rendered to a beneficiary. Unduplicated Clients are beneficiaries who receive at least one productivity service from the organization; they are counted only once, no matter how many services they receive in the fiscal year.
- “Project Impact” performance goals are desired outcomes that can be quantified. (e.g., monetary value of donated food; behavioral outcome of mental health counseling). Each proposed project must have at least one Project Impact performance goal.
- The City prefers to reimburse funded organizations on a “cost per unit of service” basis. To qualify for such reimbursement, a unit of service must be an activity that generates a consistent cost. Units of service that are used as a basis for reimbursement must be included as a Project Performance Goal.
- “Indirect Services” are services provided by the organization that are incidental or contributory to accomplishing the Performance Measurements, but for which the organization is not reimbursed by City funds.
- The City gives higher priority to funding projects that leverage non-City funds and have a sustainable balance between public and private funding sources. The answers to “Budget Narrative” questions 3 & 4

are use to help make that assessment.

Addendum B - Affordable Housing Capital Improvement Projects: This Addendum is used for all requests for capital projects involving the Acquisition, New Construction, Expansion or Rehabilitation of affordable housing units. Projects involving Shared Housing Matches or Rental Assistance must use Addendum A.

- “Productivity” performance goals must include the number of affordable housing units to be created or rehabilitated, and the timeline for completion of the project, assuming funds will be available on July 1, 2013.
- “Project Impact” performance goals include the income targeting of the affordable units and the quantity of on-site support services that will be provided (if applicable).
- “Site Control” may be in the form of current ownership, an option, a long-term (99 year) lease or other written documentation that guarantees the ability of the organization to undertake a housing development on the property. Applicants stating they have site control must provide documentation demonstrating the terms of that guarantee.

Addendum C – Non-Housing Capital Improvement Projects: This Addendum is used for all requests for capital projects involving the Acquisition, New Construction, Expansion or Rehabilitation of structures that provide non-housing benefits to low-income City residents.

- “Productivity” performance goals must include the number of City residents who will benefit from the facility after completion of the project, and the timeline for completion of the project, assuming funds will be available on July 1, 2015.
- “Project Impact” performance goals include the number of expanded and/or new services that will be provided after completion of the project.
- “Site Control” may be in the form of current ownership, an option, a long-term (50 year in the case of new construction, 10 year in the case of rehabilitation of an existing facility) lease or other written documentation that guarantees the ability of the organization to undertake a development on the property. Applicants stating they have site control must provide documentation demonstrating the terms of that guarantee.

SUBMITTING THE APPLICATION FORM

1. Applications that do not use the City’s Application Form will not be considered for funding; organizations may copy the blank application form.
 - A. Applicants are encouraged to submit their application electronically. Digital copies of the Application form and the Instructions can be downloaded from the City’s website www.santaclaraca.gov. Digital copies of the forms can also be provided by E-Mail to those who request them by calling (408) 615-2490. Applicants submitting their application digitally can send it to emurillo-garcia@santaclaraca.gov with a copy to idejillo@santaclaraca.gov. Remember to attach all of the required documents indicated on the Required Documents Checklist. Applicants must submit the application and all required attachments no later than the due date on the Schedule of Significant Dates. Within 7 (seven) calendar days of that due date, applicants must submit one paper copy of “Section 5: Authorization and Certification” of the Application Form, with an original signature, to:

City of Santa Clara
Housing & Community Services Division
1500 Civic Center Drive
Santa Clara, CA 95050

- B. Hard copies instead of electronic applications may be submitted if an applicant chooses to do so. A hard copy version of the Application may be obtained by calling 408-615-2490. Applicants submitting a hard copy of the application, must provide one original and one copy of the Application Form, including the appropriate Addendum. Only one copy of the support documents listed on the Checklist of Required Organization Documents is required. The full Application Form, appropriate Addendum, and required documents must be received at the Housing & Community Services Division office by the due date on the Schedule of Significant Events.
2. All applicants must complete and submit the General Application Form, Sections 1-5 of the Application Form, the Required Documents Checklist, and the appropriate Addendum as identified above.
 3. In addition to the documents listed on the Required Documents Checklist, applicants may submit letters of support, agency publications relevant to the proposed project or other relevant materials as attachments to the application form. For those submitting the application electronically, all such submissions must be in digital form.
 4. The Instructions document **is not to be submitted with the application.**
 5. No additional information will be accepted after the submission deadline unless: (a) It is requested by City staff; or (b) It was not available at that deadline and is significant for determining the eligibility or viability of the project (e.g., additional funds, site control). City staff shall make the final determination whether information submitted after the deadline will be accepted.

ATTACHMENT I

**FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)**

2014 INCOME GUIDELINE SCHEDULE

GROSS ANNUAL INCOME

<u>HOUSEHOLD SIZE</u>	<u>30% of MEDIAN</u>	<u>50% of MEDIAN</u>	<u>80% of MEDIAN</u>
1	\$ 21,400	\$ 35,700	\$ 49,950
2	\$ 24,450	\$ 40,800	\$ 57,050
3	\$ 27,500	\$ 45,900	\$ 64,200
4	\$ 30,550	\$ 50,950	\$ 71,300
5	\$ 33,000	\$ 55,050	\$ 77,050
6	\$ 35,450	\$ 59,150	\$ 82,750
7	\$ 37,900	\$ 63,200	\$ 88,450
8	\$ 40,350	\$ 67,300	\$ 94,150

Effective: December 1, 2013 (Federal)

HUD has determined the FY 2014 four person household median income is \$101,900

When determining whether a household is income eligible, the City uses the following definition of “annual income”: “Adjusted gross income” as defined for purposes of reporting under Internal Revenue Service (IRS) Form 1040 series for individual Federal annual income tax purposes.

ATTACHMENT II

NOTE: THIS ATTACHMENT IS FOR INFORMATION PURPOSES AND IN NO WAY IMPLIES OR REPRESENTS A FORMAL OFFER BY THE CITY. ADDITIONAL COVERAGE LEVELS AND REQUIREMENTS MAY APPLY FOR CONTRACTS IN EXCESS OF \$50,000 AND CAPITAL IMPROVEMENT PROJECTS. THE CITY RESERVES THE RIGHT TO CHANGE THESE REQUIREMENTS PRIOR TO ITS EXECUTION OF ANY CONTRACTUAL AGREEMENT PROVIDING CITY FUNDS.

INSURANCE COVERAGE REQUIREMENTS

Without limiting the Contractor's indemnification of the City, and prior to commencing any of the Services required under this Agreement, the Contractor shall purchase and maintain in full force and effect, at its sole cost and expense, the following insurance policies with at least the indicated coverages, provisions and endorsements:

A. COMMERCIAL GENERAL LIABILITY INSURANCE

1. Commercial General Liability Insurance policy which provides coverage at least as broad as Insurance Services Office form CG 00 01. Policy limits are subject to review, but shall in no event be less than, the following:
 - \$1,000,000 each occurrence
 - \$1,000,000 general aggregate
 - \$1,000,000 products/completed operations aggregate
 - \$1,000,000 personal injury
2. Exact structure and layering of the coverage shall be left to the discretion of Contractor; however, any excess or umbrella policies used to meet the required limits shall be at least as broad as the underlying coverage and shall otherwise follow form.
3. The following provisions shall apply to the Commercial Liability policy as well as any umbrella policy maintained by the Contractor to comply with the insurance requirements of this Agreement:
 - a. Coverage shall be on a "pay on behalf" basis with defense costs payable in addition to policy limits;
 - b. There shall be no cross liability exclusion which precludes coverage for claims or suits by one insured against another; and
 - c. Coverage shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of liability.

B. BUSINESS AUTOMOBILE LIABILITY INSURANCE

Business automobile liability insurance policy which provides coverage at least as broad as ISO form CA 00 01, with minimum policy limits of not less than one million dollars (\$1,000,000) each accident using, or

providing coverage at least as broad as, Insurance Services Office form CA 00 01. Liability coverage shall apply to all owned, non-owned and hired autos.

C. WORKERS' COMPENSATION

1. Workers' Compensation Insurance Policy as required by statute and employer's liability with the following limits: at least one million dollars (\$1,000,000) policy limit Illness/Injury by disease, and one million dollars (\$1,000,000) for each Accident/Bodily Injury.
2. The indemnification and hold harmless obligations of Contractor included in this Agreement shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefit payable by or for Contractor or any subcontractor under any Workers' Compensation Act(s), Disability Benefits Act(s) or other employee benefits act(s).
3. This policy must include a Waiver of Subrogation in favor of the City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents.

D. COMPLIANCE WITH REQUIREMENTS

All of the following clauses and/or endorsements, or similar provisions, must be part of each commercial general liability policy, and each umbrella or excess policy.

1. Additional Insureds. City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents are hereby added as additional insureds in respect to liability arising out of Contractor's work for City, using Insurance Services Office (ISO) Endorsement CG 20 10 11 85 or the combination of CG 20 10 03 97 and CG 20 37 10 01, or its equivalent.
2. Primary and non-contributing. Each insurance policy provided by Contractor shall contain language or be endorsed to contain wording making it primary insurance as respects to, and not requiring contribution from, any other insurance which the indemnities may possess, including any self-insurance or self-insured retention they may have. Any other insurance indemnities may possess shall be considered excess insurance only and shall not be called upon to contribute with Contractor's insurance.
3. Cancellation.
 - a. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided due to non-payment of premiums shall be effective until written notice has been given to City at least ten (10) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least ten (10) days prior to the effective date of non-renewal.
 - b. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided for any cause save and except non-payment of premiums shall be effective until written notice has been given to City at least thirty (30) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least thirty (30) days prior to the effective date of non-renewal.

4. Other Endorsements. Other endorsements may be required for policies other than the commercial general liability policy if specified in the description of required insurance set forth in Sections A through D of this Exhibit C, above.

E. ADDITIONAL INSURANCE RELATED PROVISIONS

Contractor and City agree as follows:

1. Contractor agrees to ensure that subcontractors, and any other party involved with the Services, who is brought onto or involved in the performance of the Services by Contractor, provide the same minimum insurance coverage required of Contractor, except as with respect to limits. Contractor agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this Agreement. Contractor agrees that upon request by City, all agreements with, and insurance compliance documents provided by, such subcontractors and others engaged in the project will be submitted to City for review.
2. Contractor agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge City or Contractor for the cost of additional insurance coverage required by this Agreement. Any such provisions are to be deleted with reference to City. It is not the intent of City to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against City for payment of premiums or other amounts with respect thereto.
3. The City reserves the right to withhold payments from the Contractor in the event of material noncompliance with the insurance requirements set forth in this Agreement.

F. EVIDENCE OF COVERAGE

Prior to commencement of any Services under this Agreement, Contractor, and each and every subcontractor (of every tier) shall, at its sole cost and expense, purchase and maintain not less than the minimum insurance coverage with the endorsements and deductibles indicated in this Agreement. Such insurance coverage shall be maintained with insurers, and under forms of policies, satisfactory to City and as described in this Agreement. Contractor shall file with the City all certificates and endorsements for the required insurance policies for City's approval as to adequacy of the insurance protection.

G. EVIDENCE OF COMPLIANCE

Contractor or its insurance broker shall provide the required proof of insurance compliance, consisting of Insurance Services Office (ISO) endorsement forms or their equivalent and the ACORD form 25-S certificate of insurance (or its equivalent), evidencing all required coverage shall be delivered to City, or its representative as set forth below, at or prior to execution of this Agreement. Upon City's request, Contractor shall submit to City copies of the actual insurance policies or renewals or replacements. Unless otherwise required by the terms of this Agreement, all certificates, endorsements, coverage verifications and other items required to be delivered to City pursuant to this Agreement shall be mailed to:

City of Santa Clara Housing & Community Services Division
c/o EBIX Inc.

P.O. 12010-S2 or 151 North Lyon Avenue
Hemet, CA 92546-8010 Hemet, CA 92543

Telephone number: 951-766-2280

Fax number: 770-325-0409

H. QUALIFYING INSURERS

All of the insurance companies providing insurance for Contractor shall have, and provide written proof of, an A. M. Best rating of at least A minus 6 (A- VI) or shall be an insurance company of equal financial stability that is approved by the City or its insurance compliance representatives.

ATTACHMENT III

HOW TO OBTAIN A DUNS NUMBER

All applicants must obtain a Data Universal Numbering System (DUNS) number in order to be eligible to receive federal funds. That number may be obtained via the web at <http://www.grants.gov/applicants/.jsp>. The cost of obtaining a DUNS number is free. The Department of Housing & Urban Development (HUD) has posted instructions on its website at www.hud.gov/offices/adm/grants/duns.cfm, about how to obtain a DUNS number.

ATTACHMENT IV

HOME DEFINITION OF A CHDO 24 CFR Section 92.2

Community Housing Development Organization [CHDO] means a private nonprofit organization that:

- (1) Is organized under State or local laws;
- (2) Has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual;
- (3) Is neither controlled by, nor under the direction of, individuals or entities seeking to derive profit or gain from the organization. A community housing development organization may be sponsored or created by a for-profit entity, but:
 - (i) The for-profit entity may not be an entity whose primary purpose is the development or management of housing, such as a builder, developer, or real estate management firm;
 - (ii) The for-profit entity may not have the right to appoint more than one-third of the membership of an organization's governing body. Board members appointed by the for-profit entity may not appoint the remaining two-thirds of the board members; and
 - (iii) The community housing development organization must be free to contract for goods and services from vendors of its own choosing; and
 - (iv) The officers and employees of the for-profit entity may not be officers or employees of the community housing development organization.
- (4) Has a tax exemption ruling from the Internal Revenue Service under section 501(c)(3) or (4) of the Internal Revenue Code of 1986 (26 CFR 1.501(c)(3)-1 or 1.501(c)(4)-1), is classified as a subordinate of a central organization nonprofit under section 905 of the Internal Revenue Code of 1986, or if the private nonprofit organization is an wholly owned entity separate from its owner for tax purposes (e.g., a single member limited liability company that is wholly owned by an organization that qualifies as tax exempt), the owner organization has a tax exemption ruling from the Internal Revenue Service under section 501(c)(3) or (4) of the Internal Revenue Code of 1986 and meets the definition of "community housing development organization;"
- (5) Is not a governmental entity (including the participating jurisdiction, other jurisdiction, Indian tribe, public housing authority, housing finance agency, or redevelopment authority) and is not controlled by a governmental entity. An organization that is created by a governmental entity may qualify as a community housing development organization; however, the governmental entity may not have the right to appoint more than one-third of the membership of the organization's governing body and no more than one-third of the board members may be public officials or employees of governmental entity. Board members appointed by a governmental entity may not appoint the remaining two-thirds of the board members. The officers or employees of a governmental entity may not be officers or employees of a community housing development organization;
- (6) Has standards of financial accountability that conform to 24 CFR 84.21. "Standards for Financial Management Systems;"
- (7) Has among its purposes the provision of decent housing that is affordable to low-income and moderate-income persons, as evidenced by its charter, articles of incorporation, resolutions or by-laws;
- (8) Maintains accountability to low-income community residents by:
 - (i) Maintaining at least one-third of its governing board's membership for residents of low-income neighborhoods, other low-income community residents, or elected representative of low-income neighborhood organizations. For urban areas, "community" may be a neighborhood or neighborhoods, city, county or metropolitan area; and
 - (ii) Providing a formal process for low income program beneficiaries to advise the organization in its decisions regarding the design, siting, development, and management of affordable housing;
- (9) Has a demonstrated capacity for carrying out activities assisted with HOME funds. A designated organization undertaking development activities as a developer or sponsor must satisfy this requirement by having paid employees

with housing development experience who will work on projects assisted with HOME funds. For its first year of funding as a community housing development organization, an organization may satisfy this requirement through a contract with a consultant who has housing development experience to train appropriate key staff of the organization. An organization that will own housing must demonstrate capacity to act as owner of a project and meet the requirements of § 92.200 (a)(2). A nonprofit organization does not meet the test of demonstrated capacity based on any person who is a volunteer or whose services are donated by another organization; and

- (10) Has a history of serving the community within which housing to be assisted with HOME funds is to be located. In general, an organization must be able to show one year of serving the community before HOME funds are reserved for the organization. However, a newly created organization formed by local churches, service organizations or neighborhood organizations may meet this requirement by demonstrating that its parent organization has at least a year of serving the community.

ATTACHMENT V

CDBG DEFINITION OF A CBDO 24 CFR Section 570.204

- (c) Eligible CBDOs. (1) A CBDO qualifying under this section is an organization which has the following characteristics:
- (i) Is an association or corporation organized under State or local law to engage in community development activities (which may include housing and economic development activities) primarily within an identified geographic area of operation within the jurisdiction of the recipient [City of Santa Clara], or in the case of an urban county, the jurisdiction of the county; and
 - (ii) Has as its primary purpose the improvement of the physical, economic or social environment of its geographic area of operation by addressing one or more critical problems of the area, with particular attention to the needs of persons of low and moderate income; and
 - (iii) May be either non-profit or for-profit, provided any monetary profits to its shareholders or members must be only incidental to its operations; and
 - (iv) Maintains at least 51 percent of its governing body's membership for low- and moderate-income residents of its geographic area of operation, owners or senior officers of private establishments and other institutions located in and serving its geographic area of operation, or representatives of low- and moderate-income neighborhood organizations located in its geographic area of operation; and
 - (v) Is not an agency or instrumentality of the recipient [City] and does not permit more than one-third of the membership of its governing body to be appointed by, or to consist of, elected or other public officials or employees or officials of an ineligible entity (even though such persons may be otherwise qualified under paragraph (c)(1)(iv) of this section); and
 - (vi) Except as otherwise authorized in paragraph (c)(1)(v) of this section, requires the members of its governing body to be nominated and approved by the general membership of the organization, or by its permanent governing body; and
 - (vii) Is not subject to requirements under which its assets revert to the recipient upon dissolution; and
 - (viii) Is free to contract for goods and services from vendors of its own choosing.
- (2) A CBDO that does not meet the criteria in paragraph (c)(1) of this section may also qualify as an eligible entity under this section if it meets one of the following requirements:
- (i) Is an entity organized pursuant to section 301(d) of the Small Business Investment Act of 1958 (15 U.S.C. 681(d)), including those which are profit making; or
 - (ii) Is an SBA approved Section 501 State Development Company or Section 502 Local Development Company, or an SBA Certified Section 503 Company under the Small Business Investment Act of 1958, as amended; or
 - (iii) Is a Community Housing Development Organization (CHDO) under 24 CFR 92.2, designated as a CHDO by the HOME Investment Partnerships program participating jurisdiction, with a geographic area of operation of no more than one neighborhood, and has received HOME funds under 24 CFR 92.300 or is expected to receive HOME funds as described in and documented in accordance with 24 CFR 92.300(e).
- (3) A CBDO that does not qualify under paragraph (c)(1) or (2) of this section may also be determined to qualify as an eligible entity under this section if the recipient [City] demonstrates to the satisfaction of HUD, through the provision of information regarding the organization's charter and by-laws, that the organization is sufficiently similar in purpose, function, and scope to those entities qualifying under paragraph (c)(1) or (2) of this section.

ATTACHMENT VI

SERVICE PROJECTS APPLICATION EVALUATION CRITERIA

1. **QUALIFYING CRITERIA** (applicants must meet all these criteria)

Low and Moderate Income Clientele: At least 51% of beneficiaries have a household income less than or equal to 80% of the Area Median Income (AMI), adjusted for household size.

Eligibility of Proposed Service: The proposed service is a continuation of services currently-funded by the City, new service being provided to City residents, or a measurable expansion of an existing service being provided to City residents (with or without City funding).

Not a Duplication of Existing City Service: Existing City Service is defined as one provided by the City directly or by an organization funded by the City.

Precedent for City Funding of Activity: In the past, the City has provided similar services either directly or by funding provided to a non-City entity.

2. **EVALUATION CRITERIA**

Targets Lower Income Residents.

HIGH: Over half of the beneficiaries are at or below 30% of AMI.

MEDIUM: Over half of the beneficiaries are at or below 50% of AMI.

LOW: Over three fourths of the beneficiaries are at or below 80% of AMI.

ZERO: Less than three fourths of the beneficiaries are at or below 80% of AMI.

Consistency with City's Five-Year Consolidated Plan (CP).

HIGH: Proposed activity is given a High Priority in the CP.

MEDIUM: Proposed activity is given a Medium Priority in the CP.

LOW: Proposed activity is given a Low Priority in the CP.

ZERO: Proposed activity is not identified in the CP as a community need.

History of Providing Proposed Service.

HIGH: Has provided the proposed service for more than 6 years.

MEDIUM: Has provided the proposed service 3-5 years.

LOW: Has provided the proposed service for less than 3 years.

ZERO: Has not previously provided the service.

Provision of Proposed Services in other Santa Clara County jurisdictions (agencies providing services only to City residents are automatically rated High).

HIGH: Receive or is requesting funds from at least 75% of the jurisdictions in which the proposed service will be provided.

MEDIUM: Receive or is requesting funds from at least 50% of the jurisdictions in which the proposed service will be provided.

LOW: Receive or is requesting funds from at least 25% of the jurisdictions in which the proposed service will be provided

ZERO: Does not receive and is not requesting funds from any other jurisdictions in which the proposed service will be provided.

Experience providing services to City residents (with or without City funding support).

HIGH: Provided proposed services to City residents for more than 6 years.

MEDIUM: Provided proposed services to City residents for 3-5 years.

LOW: Provided proposed services to City residents for less than 3 years.

ZERO: Has not previously provided proposed services to City residents.

Leveraging of non-City funds, measured as percentage of the cost of providing proposed services to City residents.

HIGH: City funds pay 10% or less of the cost of proposed services to be provided to City residents.

MEDIUM: City funds pay more than 10% and less than 25% of the cost of proposed services to be provided to City residents.

LOW: City funds pay 25-50% of the cost of proposed services to be provided to City residents.

ZERO: City funds pay more than 50% of the cost of proposed services to be provided to City residents.

Leveraging of private (non-government) funds, measured as percentage of the applicant's operating budget.

HIGH: Private funds make up more than 25% of applicant's operating budget.

MEDIUM: Private funds make up 10-25% of applicant's operating budget.

LOW: Private funds make up less than 10% of applicant's operating budget.

ZERO: No private funds contribute to the applicant's operating budget.

Note: In-Kind contributions can be counted as private funds if they are included in the applicant's annual audit or can otherwise be documented to the satisfaction of the City.